

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re: **EDWARD P. DEETS** and, : Chapter 7  
**ELIZABETH L. DEETS,** : Case No: **5:11-bk-06868-RNO**  
Debtors, :  
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<b>MICHAEL G. OLEYAR, CHAPTER 7 TRUSTEE</b>	:	
for EDWARD P. DEETS and ELIZABETH L. DEETS,	:	
Plaintiff,	:	
vs.	:	Complaint for Turnover & Sale Sale Free & Clear Of Liens
<b>EDWARD P. DEETS, ELIZABETH L. DEETS,</b>	:	
<b>PENNSYLVANIA DEPARTMENT OF REVENUE,</b>	:	
<b>UNITED STATES OF AMERICA INTERNAL</b>	:	Adversary Proceeding
<b>REVENUE SERVICE, DONNA COURREGE,</b>	:	No. <b>5:14-ap-00239-RNO</b>
<b>PETER COURREGE, DARLENE LOKKEN,</b>	:	
<b>CORBY BARRY LOKKEN, DEBRA LYSIAK,</b>	:	
<b>DAVID LYSIAK, DIANE DEETS,</b>	:	
<b>PENNSYLVANIA DEPARTMENT OF</b>	:	
<b>TRANSPORTATION, SCOTT SNYDER,</b>	:	
<b>US TRUCK &amp; PARTS, INC., SCOTT CARROLL,</b>	:	
<b>JOHN D. WORMAN, JULIA VENCAK,</b>	:	
<b>MARVIN CAREY USED CARS,</b>	:	
<b>MOUNTAINEER ENTERPRISES, INC.,</b>	:	
<b>NORTH EAST EXPRESS, INC.,</b>	:	
<b>RAYMOND F. DUNKLE, JR., NICHOLAS BARBRIE,</b>	:	
<b>ESTATE OF FRANCIS CORNELL,</b>	:	
<b>ESTATE OF JOSEPH KOVIAK,</b>	:	
<b>DAVID SMITH and CANDACE SMITH,</b>	:	
Defendants.	:	

**AFFIDAVIT OF DEFAULT: PENNSYLVANIA DEPARTMENT OF REVENUE**

I, J. Zac Christman, Esquire, the Attorney for Plaintiff MICHAEL G. OLEYAR,  
CHAPTER 7 TRUSTEE for EDWARD P. DEETS and ELIZABETH L. DEETS hereby swear  
and affirm, under penalty of perjury, that the following is true and correct:

1. Debtors EDWARD P. DEETS and ELIZABETH L. DEETS filed the above-captioned Bankruptcy Case on October 6, 2011.

2. The above-captioned Bankruptcy Case was converted to Chapter 7 on June 1, 2012.
- 3 The Complaint in the above-captioned adversary proceeding was filed on October 23, 2014.
4. A summons was issued on October 24, 2014, that required responses to the Complaint be filed no later than November 28, 2014.
5. The summons was duly served on the Pennsylvania Department of Revenue on October 30, 2014, via first class mail to
  - a. Officer, Managing or General Agent, or Agent Authorized to Receive Service of Process, PENNSYLVANIA DEPARTMENT OF REVENUE, Dep't 280946, Attn: Bankruptcy Division, Harrisburg, PA 17128-0946; and
  - b. Steven C Gould, Esquire, Office of Attorney General; 15th Floor, Strawberry Square; Harrisburg, PA 17120.

6. Based on non-receipt of any response and a review of the docket the **PENNSYLVANIA DEPARTMENT OF REVENUE** did not file a response to the Complaint.
7. I have taken reasonable steps to ascertain that the **PENNSYLVANIA DEPARTMENT OF REVENUE** is not in military service and determined that the **PENNSYLVANIA DEPARTMENT OF REVENUE** is not in military service based upon: the status of the **PENNSYLVANIA DEPARTMENT OF REVENUE** as a division of the Commonwealth of Pennsylvania and conversations with an Assistant Attorney General who generally represents the **PENNSYLVANIA DEPARTMENT OF REVENUE** in bankruptcy matters.

WHEREFORE, MICHAEL G. OLEYAR, CHAPTER 7 TRUSTEE for EDWARD P. DEETS and ELIZABETH L. DEETS, prays this Honorable Court for entry of default against the **PENNSYLVANIA DEPARTMENT OF REVENUE** and for such other and further relief as the Honorable Court deems just and appropriate.

NEWMAN, WILLIAMS, MISHKIN,  
CORVELEYN, WOLFE & FARERI, P.C.

By: /s/ J. Zac Christman  
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